

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

JACQUELINE SZAFRANSKI,

Plaintiff,

v.

DELBERT SERVICES CORPORATION,

Defendant.

CASE NO. _____

Lower Court Case No. 14-11197-GC

HON. _____

NOTICE OF REMOVAL

Gary D. Nitzkin (P41155)
LAW OFFICES OF NITZKIN & ASSOCIATES
Attorneys for Jacqueline Szafranski
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VARNUM LLP
Attorneys for Delbert Services Corporation
Bridgewater Place
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(616) 336-6000
rjgroendyk@varnumlaw.com

TO: Clerk of the Court

Jacqueline Szafranski
c/o Nitzkin & Associates
22142 W. Nine Mile Road
Southfield, MI 48033

PLEASE TAKE NOTICE pursuant to 28 U.S.C. §§ 1232, 1441(a) and (b) and 1446(a), (b), and (d), the above-captioned case has been removed by Defendant Delbert Services Corporation, to the United States District Court for the Eastern District of Michigan, for the following reasons:

1. This action was commenced in the 19th Judicial District Court, State of Michigan, and was received by Defendant on October 14, 2014 (*see* Summons and Complaint, attached as **Exhibit A**).

2. Pursuant to 28 U.S.C. § 1441(a), any civil action brought in a state court of which the district court of the United States has original jurisdiction, may be removed by the Defendant to the district court of the United States for the district and division embracing the place where such action is pending.

3. The 19th Judicial District Court in Dearborn, Michigan, is located within the jurisdiction of the United States Court for the Eastern District of Michigan. This Court is the Court embracing the place where the action is pending.

4. This Complaint is removable to the United States District Court for the Eastern District of Michigan, from the 19th Judicial District Court for the State of Michigan, pursuant to 28 U.S.C. §§ 1331, 1367, and 1441.

5. Plaintiff's Complaint alleges that Defendant violated the Telephone Consumer Protection Act, 47 U.S.C. § 227. As such, this Court has federal jurisdiction over this action pursuant to 28 U.S.C. § 1331.

6. This Notice of Removal is being filed within 30 days of the date upon which Defendant was served with a copy of the Summons and Complaint. 28 U.S.C. § 1446.

7. Concurrently, Defendant has provided written notice of this Notice of Removal to Plaintiff, filing a copy with the Clerk of the 19th Judicial District Court for the State of Michigan, as required by 28 U.S.C. § 1446(d).

WHEREFORE, Defendant removes to this Court the above-entitled action, now pending in the 19th Judicial District Court, in the State of Michigan, action be placed on the docket of this Court for further proceedings as though this action had originally been instituted in this Court.

Respectfully submitted,

VARNUM LLP

Dated: November 6, 2014

By: /s/ Randall J. Groendyk

Randall J. Groendyk (P37196)

BUSINESS ADDRESS & TELEPHONE:

Bridgewater Place

P.O. Box 352

Grand Rapids, MI 49501-0352

(616) 336-6000

CERTIFICATE OF SERVICE

The undersigned states that he served a copy of the Notice of Filing of Removal upon the following individual:

Jacqueline Szafranski
c/o Nitzkin & Associates
22142 West Nine Mile Road
Southfield, MI 48033

by first class mail, with postage fully prepaid.

I declare that the statements above are true to the best of my information, knowledge, and belief.

Dated: November 6, 2014

/s/ Randall J. Groendyk

Randall J. Groendyk (P37196)

8860323

**STATE OF MICHIGAN
19TH JUDICIAL DISTRICT COURT**

JACQUELINE SZAFRANSKI,

Plaintiff,

v.

DELBERT SERVICES CORPORATION,

Defendant.

Case No. 14-11197-GC

HON. SAM SALAMEY

NOTICE OF FILING REMOVAL

Gary D. Nitzkin (P41155)
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TO: Clerk of the Court
19th District Court
16077 Michigan Avenue
Dearborn, MI 48126

Jacqueline Szafranski
c/o Nitzkin & Associates
22142 W. Nine Mile Road
Southfield, MI 48033

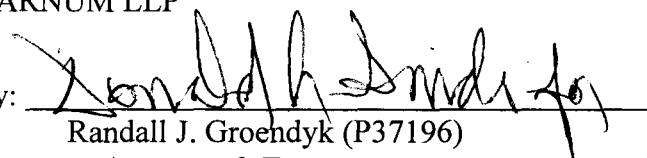
PLEASE TAKE NOTICE that on November 6, 2014, Defendant Delbert Services Corporation, filed the attached Notice of Removal with the United States District Court for the Eastern District of Michigan by which the above-captioned state court action was moved to federal court pursuant to 28 U.S.C. §§ 1441 and 1446. Pursuant to 28 U.S.C. § 1446(d), Defendant requests that this Court proceed no further, with respect to Defendant Delbert Services Corporation.

Respectfully submitted,

VARNUM LLP

Dated: November 6, 2014

By:


Randall J. Groendyk (P37196)

BUSINESS ADDRESS & TELEPHONE:

Bridgewater Place, P.O. Box 352
Grand Rapids, MI 49501-0352
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**STATE OF MICHIGAN
19TH JUDICIAL DISTRICT COURT**

JACQUELINE SZAFRANSKI,

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PROOF OF SERVICE

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I, Kelly Vadeboncoeur, am a legal secretary at Varnum, and state that on 6th day of November, 2014, I served **Notice of Filing Removal**, and a copy of this **Proof of Service** upon:

Jacqueline Szafranski
c/o Nitzkin & Associates
22142 W. Nine Mile Road
Southfield, MI 48033

by putting a copy in a sealed envelope, addressed to each of the above-named individuals, and depositing it in our internal office mail pickup for delivery the same day with first-class postage fully prepaid thereon to the United States Post Office.

I declare that the statements above are true to the best of my information, knowledge, and belief.



Kelly Vadeboncoeur

8860604